



any map or plat of the real property to be included as part of the subdivision known as "Montalcino Estates" (the "Property");

WHEREAS, the Declarant desires to add the approximately 115.451± acres of land included within Montalcino Estates, Phase 2, as described on that certain Record Plat of Montalcino Estates, Phase 2, recorded on August 15, 2018, as Document No. 2018-355, in the map or plat records of Denton County, Texas (the "Phase 2 Property") into the Property subject to the Declaration, in accordance with the terms of the Declaration, including, without limitation, Section 10.03 thereof;

WHEREAS, Declarant owns all Lots within the Property, and thereby holds at least seventy percent (70%) of the total number of votes allocated to Owner's of lots within the Property, and thereby, and in accordance with Section 209.0041 of Chapter 209 of the Texas Property Code (the Texas Residential Property Owners Protection Act), pursuant to the rights reserved by Declarant under the Declaration (including, without limitation, Section 8.03 thereof), Declarant has the right to unilaterally amend the Declaration; and

WHEREAS, Declarant desires to amend and modify certain covenants, conditions and restrictions set forth in the Declaration, and ratify and affirm the Original Declaration, as amended and modified by the Supplement, the First Amendment and by this Second Amendment, as more specifically provided in this Second Amendment.

NOW, THEREFORE, the Declarant does hereby amend the Declaration as follows:

1. Defined Terms. Unless otherwise defined in this Second Amendment or the context otherwise requires, each term used in this Second Amendment with its initial letter capitalized which has been specifically defined in the Declaration shall have the same meaning herein as given to such term in the Declaration.

2. Amendment(s) to Declaration. The Declaration is hereby modified and amended as of the Original Declaration Effective Date, to add addition of land with the following:

1. Addition of Land. The Phase 2 Property, as described on the Record Plat of Montalcino Estates, Phase 2, recorded on August 15, 2018, as Document No. 2018-355, in the map or plat records of Denton County, Texas, is hereby added to the "Property": as such term is defined and used in the Declaration, and the Phase 2 Property will be considered part of the Property for any and all purposes of the Declaration, and all of the terms, covenants, conditions, restrictions and obligations of the Declaration will apply to Phase 2 Property added to the "Property" hereby. The Phase 2 Property will be considered part of the "Property" subject to the Declaration and the terms, covenants, conditions, restrictions and obligations set forth in the Declaration, and the rights, privileges; duties and liabilities of the persons subject to the Declaration will be the same with respect to such Phase 2 Property as with respect to the lands originally covered by the Declaration.

2. No Other Effect. Except as expressly modified, amended and supplemented by this Second Amendment, the terms and provisions of the Declaration are not amended, modified or

supplemented, and the Declaration, as modified, amended and supplemented hereby, is hereby amended as provided herein.

3. Ratification. The Declarant hereby ratifies and affirms the Original Declaration, as modified and amended by the Supplement, the First Amendment, and this Second Amendment in its entirety.

4. Severability. Invalidation of any one provision of this Second Amendment by judgment or court order shall in no way affect any other provision of this Second Amendment or the remainder of this Second Amendment which shall remain in full force and effect. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Second Amendment a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

5. Headings. The headings contained in this Second Amendment are for reference purposes only and shall not in any way affect the meaning or interpretation of this Second Amendment.

[REMAINDER OF PAGE LEFT BLANK - SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the date written above, subject to the terms of this Second Amendment.

**DECLARANT:**

CTMGT MONTALCINO, LLC,  
a Texas limited liability company

By: Centamtar Terras, LLC,  
a Texas limited liability company  
its Manager

By: CTMGT, LLC,  
a Texas limited liability company  
its Manager

By: \_\_\_\_\_  
Merhdad Moayedi, Manager

STATE OF TEXAS           §  
                                     §  
COUNTY OF \_\_\_\_\_ §

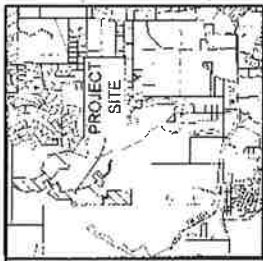
This instrument was acknowledged before me on the \_\_\_\_ day of September, 2018, by Merhdad Moayedi, the Manager of CTMGT, LLC , a Texas limited liability company, the Manager of Centamtar Terras, LLC, a Texas limited liability company, the Manager of CTMGT MONTALCINO, LLC, a Texas limited liability company, on behalf of said entity, and in the capacity herein stated.

\_\_\_\_\_  
Notary Public, State of Texas

**Exhibit A**

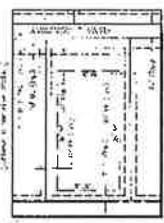
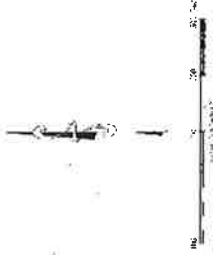
**Record Plat**

**Montalcino Estates, Phase 2**



1. The survey was made by the undersigned, a duly qualified and licensed Surveyor in the State of Texas, and the same is true and correct.

2. The survey was made by the undersigned, a duly qualified and licensed Surveyor in the State of Texas, and the same is true and correct.



1. The survey was made by the undersigned, a duly qualified and licensed Surveyor in the State of Texas, and the same is true and correct.

2. The survey was made by the undersigned, a duly qualified and licensed Surveyor in the State of Texas, and the same is true and correct.

# RECORD PLAT

## Montealmo Estates, Phase 2

### 63 Buildable Lots & 4 "X" Lots

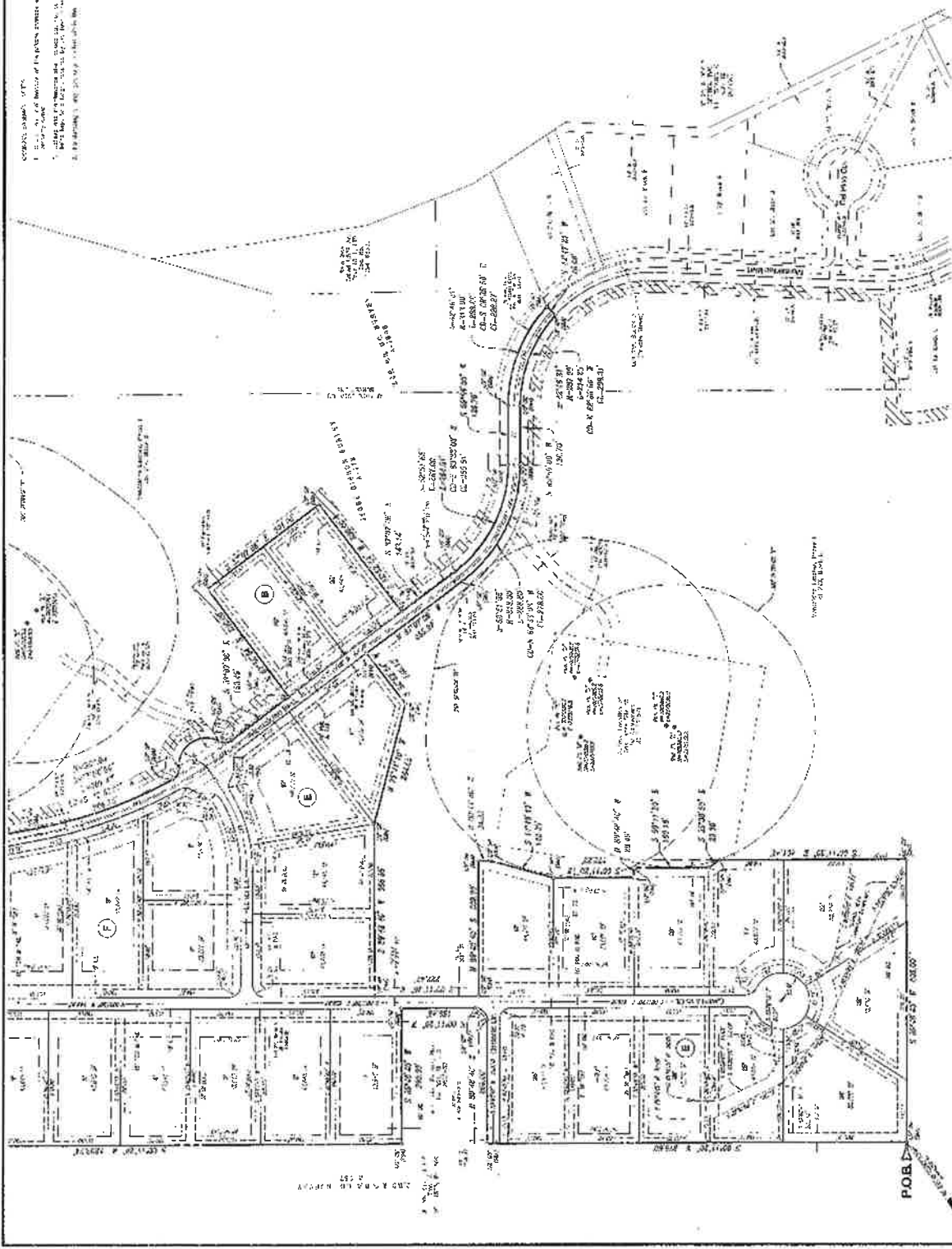
#### 118.451 Acres

JESSE GIBSON SURVEY, ABSTRACT NO. 478  
T&P RR CO. SURVEY, ABSTRACT NO. 1803  
TOWN OF FLOWER MOUND  
DENTON COUNTY, TEXAS

**CONSULTANTS, LLC**  
104  
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T&P RR CO. SURVEY, ABSTRACT NO. 1803  
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FILED IN BOOK 104  
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